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10 District Property Owners Association

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF

13 ADRIAN RISKIN,

14 Petitioner,

15 vs.

16 HOLLYWOOD MEDIA DISTRICT
17 PROPERTY OWNERS
18 ASSOCIATION,

19 Respondent.

CASE NO. BS 166075

(Assigned to Hon. Mary H. Strobel, Dept. 82)

RESPONSE TO PETITIONER'S SPECIAL
INTERROGATORIES, SET ONE

20 Propounding Party: Petitioner

21 Responding Party: Respondent

22 Set No.: One

23 Respondent Hollywood Media District Property Owners Association

24 ("Respondent") responds as follows to Petitioner Adrian Riskin's ("Petitioner")
25 Special Interrogatories, Set One:

26 INTERROGATORY NO. 1:

27 IDENTIFY all EMAIL APPLICATIONS YOU have used from September 2015
28 to the present. (Examples include: Outlook, Gmail, Hotmail.)

1 RESPONSE TO INTERROGATORY NO. 1:

2 Microsoft Outlook

4 INTERROGATORY NO. 2:

5 IDENTIFY all the places YOU have kept your EMAIL (for example, host server,
6 local server, workstation PCs, etc.) from September 2015 to the present.

7 RESPONSE TO INTERROGATORY NO. 2:

8 Objection, vague and ambiguous as to "kept." Subject to, and without
9 prejudice to or waiver of said objection, and understanding "kept" to include for a
10 period of time as well as permanently, Respondent states that its emails are kept on
11 its workstation computers until deleted and on local backup drives until
12 overwritten, and on the host server until deleted from the workstation computer.

14 INTERROGATORY NO. 3:

15 IDENTIFY each company that has hosted your EMAIL from September 2015 to
16 the present.

17 RESPONSE TO INTERROGATORY NO. 3:

18 Tom Edgar, c/o LeeLee Films, Inc., 611 N. Mariposa Avenue
19 Los Angeles, CA 90004, 323-401-3707

21 INTERROGATORY NO. 4:

22 IDENTIFY any WRITINGS reflecting your EMAIL BACK-UP and retention
23 policy/ies from September 2015 to the present.

24 RESPONSE TO INTERROGATORY NO. 4:

25 "Document Retention Policy" as adopted by Respondent on September 22, 2016.
26 Board Meeting Minutes for that meeting date reflect such adoption.

1 INTERROGATORY NO. 5:

2 State the length of time YOU retain back ups of YOUR EMAIL.

3 RESPONSE TO INTERROGATORY NO. 5:

4 Local backup drives periodically are overwritten for space needs upon no
5 specific schedule, and the host server retains emails only until they are deleted at
6 the workstation computer(s) on which they reside.

7
8 INTERROGATORY NO. 6:

9 Explain how YOUR server is configured to keep EMAIL BACK-UPS.

10 RESPONSE TO INTERROGATORY NO. 6:

11 The server does not separately back up emails, it retains them only until
12 deleted from the workstation computer(s) on which they reside

13
14 INTERROGATORY NO. 7:

15 IDENTIFY every person with a mediadistrict.org address.

16 RESPONSE TO INTERROGATORY NO. 7:

17 Objection, vague and ambiguous as to time. Subject to, and without
18 prejudice to or waiver of said objection, and understanding the interrogatory to
19 include the period from September 15, 2015 to the present, Respondent states Lisa
20 Schechter, Executive Director; and Jim Omahen, Operations Manager, both at 1040
21 N. Las Palmas Avenue, Hollywood, CA, 90038, 323-860-0088.

22
23 INTERROGATORY NO. 8:

24 From September 2015 to the present, if any person with a mediadistrict.org address
25 has forwarded their mediadistrict.org EMAIL to another EMAIL address or EMAIL
26 APPLICATION, IDENTIFY the other address/s or EMAIL APPLICATION/S.

27 RESPONSE TO INTERROGATORY NO. 8:

28 Objection, vague, ambiguous, and unintelligible as to time and "forward, and

1 to the extent "forward" means using the "forward" button in Outlook to send a
2 received email to another person, it seeks to impose on Respondent and undue and
3 oppressive burden. Subject to, and without prejudice to or waiver of said objection,
4 and understanding the interrogatory to include the period from September 15, 2015
5 to the present and "forward" to refer only to establishing an automatic sending of an
6 email to a mediadistrict.org address to another email address as a matter of course
7 either periodically or permanently, Respondent states that the interrogatory is
8 inapplicable because that sort of forwarding has not been done.

9
10 INTERROGATORY NO. 9:

11 IDENTIFY each time YOU have experienced an EMAIL PROBLEM from
12 September 2015 to the present.

13 RESPONSE TO INTERROGATORY NO. 9:

14 Leaving aside occasional outages and service errors common to email
15 systems, none of which is believed to have occasioned any loss of emails sent or
16 received, Respondent experienced significant email problems during October,
17 November, and December 2015, and again to a lesser extent in January and
18 February of 2016, ultimately determined to be a capacity problem due to Lisa
19 Schechter's effort to email large photo files to her mediadistrict.org address and to
20 others via Respondent's email system. This resulted in Schechter emails not being
21 sent and/or not being received, and the deletion of some emails from the system in
22 order to create capacity. In December 2016 and again in February 2017,
23 Respondent had trouble receiving and sending emails but is unaware that any
24 ultimately were lost, and the problem evidently related to an internet connection
25 issue.

26
27 INTERROGATORY NO. 10:

28 Explain the reason for each EMAIL PROBLEM identified in response to

1 Interrogatory No. 9, above.

2 RESPONSE TO INTERROGATORY NO. 10:

3 See response to Interrogatory No. 9, above.

4
5 INTERROGATORY NO. 11:

6 IDENTIFY all attempts to recover EMAIL after each EMAIL PROBLEM
7 identified in response to Interrogatory No. 9, above.

8 RESPONSE TO INTERROGATORY NO. 11:

9 As to the instances identified where emails were deleted to create capacity,
10 there were no efforts made to recover those emails, the vast majority of which
11 contained large photographic files.

12
13 INTERROGATORY NO. 12:

14 IDENTIFY all JUMPLINE's services that YOU use.

15 RESPONSE TO INTERROGATORY NO. 12:

16 Respondent does not use any Jumpline services. Respondent's host server is
17 provided with webhost domain name services via the Jumpline network, and such
18 Jumpline services sometimes are provided through the "myhostcenter.com"
19 domain.

20
21 INTERROGATORY NO. 13:

22 State all facts to support YOUR contention that PETITIONER made reference to a
23 BID employee or family member as "Nazis," "jackbooted thugs," or "white
24 supremacists."

25 RESPONSE TO INTERROGATORY NO. 13:

26 Statements like these were made by Petitioner in articles on the website
27 "michaelkohlhaas.org" for which he admits he writes anonymously and at which he
28 publishes records provided to him by Respondent and other BIDs pursuant to his

1 Public Records Act requests. The website is acknowledged to be a “denunciation
2 of Business Improvement Districts in Hollywood,” of which Respondent is one,
3 and articles published on the site under one or more of Petitioner’s pseudonyms
4 have used these or similar phrases and words and references to other materials to
5 describe such Business Improvement Districts and their staff and even family
6 members. See also response to Interrogatory No. 14, below.

7
8 INTERROGATORY NO. 14:

9 IDENTIFY any WRITING that supports your answer to Interrogatory 13, above.

10 RESPONSE TO INTERROGATORY NO. 14:

11 Objection, seeks to impose on Respondent an undue and oppressive burden
12 in that each and every fact stated above is within petitioner’s own knowledge as is
13 each of the subject writings. Subject to, and without prejudice to or waiver of said
14 objection, Respondent refers to Petitioner’s Petition herein at paragraph 1, and
15 states that it will produce copies of a sample of articles making the subject
16 statements.

17
18 INTERROGATORY NO. 15:

19 Provide the date of any and all of Lisa Schechter's meetings with Councilmember
20 Mitch O'Farrell or his staff while Ms. Schechter was working for YOU.

21 RESPONSE TO INTERROGATORY NO. 15:

22 Objection, irrelevant and not reasonably calculated to lead the discovery of
23 admissible evidence; seeks to impose on Respondent an undue and oppressive
24 burden; and is vague and ambiguous as to “meetings.” Subject to, and without
25 prejudice to or waiver of said objections, and understanding the interrogatory to be
26 directed to meetings at which substantive matters were discussed and not incidental
27 occasions on which Ms. Schechter may have been in the same room and may have
28 exchanged pleasantries with Councilmember O'Farrell or a member of his staff at a

1 press conference, ceremonial event, at City Hall other than the councilmember's
2 chambers, at an event hosted by another organization, or elsewhere, Respondent
3 states she was present at such subject "meetings" as so limited on November 5,
4 2015; January 21, 2016; March 3, 2016; and April 11, 2016.

5
6 INTERROGATORY NO. 16:

7 Provide the date of any and all of Lisa Schechter's meetings with Councilmember
8 David Ryu or his staff while Ms. Schechter was working for YOU.

9 RESPONSE TO INTERROGATORY NO. 16:

10 Objection, irrelevant and not reasonably calculated to lead the discovery of
11 admissible evidence; seeks to impose on Respondent an undue and oppressive
12 burden; and is vague and ambiguous as to "meetings." Subject to, and without
13 prejudice to or waiver of said objections, and understanding the interrogatory to be
14 directed to meetings at which substantive matters were discussed and not incidental
15 occasions on which Ms. Schechter may have been in the same room and may have
16 exchanged pleasantries with Councilmember Ryu or a member of his staff at a press
17 conference, ceremonial event, at City Hall other than the councilmember's
18 chambers, at an event hosted by another organization, or elsewhere, Respondent
19 states she was present at such subject "meetings" as so limited on February 1, 2016.

20
21 INTERROGATORY NO. 17:

22 IDENTIFY each person assigned to respond to PETITIONER'S 12/8/15 PRA
23 request.

24 RESPONSE TO INTERROGATORY NO. 17:

25 Jeffrey C. Briggs, Respondent's general counsel and counsel in this matter as
26 identified above.

27
28 INTERROGATORY NO. 18:

1 IDENTIFY each person assigned to respond to PETITIONER'S 3/18/16
2 PRA request.

3 RESPONSE TO INTERROGATORY NO. 18:

4 Lisa Schechter, identified above; Jeffrey C. Briggs, Respondent's general
5 counsel and counsel in this matter as identified above.

6
7 INTERROGATORY NO. 19:

8 If YOU contend you have produced every EMAIL responsive to PETITIONER'S
9 12/8/15 PRA request, please state all facts that support YOUR contention.

10 RESPONSE TO INTERROGATORY NO. 19:

11 Respondent conducted a reasonable search of Lisa Schechter's email system
12 on her computer workstation and produced all requested emails that were found to
13 be responsive to the subject request. Prior to receipt of the subject request, many
14 emails on her workstation were deleted in order to increase Respondent's server
15 capacity due to problems Ms. Schechter had in sending and receiving emails.
16 Responses to subsequent Public Record Act Requests from Petitioner located
17 copies of some responsive emails on another of Respondent's workstations and
18 were produced by Respondent to Petitioner in response to such requests. Many of
19 the emails that Petitioner obtained from recipients of her emails and from those who
20 sent her emails were in fact not responsive to the subject request, had Respondent
21 still possessed them, because they are not public records.

22
23 INTERROGATORY NO. 20:

24 IDENTIFY all persons with knowledge of the facts in your answer to Interrogatory
25 No. 19, above.

26 RESPONSE TO INTERROGATORY NO. 20:

27 Lisa Schechter, Jim Omahen, and Jeffrey C. Briggs, all identified above.
28

1 INTERROGATORY NO. 21:

2 If YOU contend you have produced every EMAIL responsive to PETITIONER'S
3 3/18/16 PRA request, please state all facts that support YOUR contention.

4 RESPONSE TO INTERROGATORY NO. 21:

5 Respondent conducted a reasonable search of Lisa Schechter's email system on her
6 computer workstation and produced all requested emails that were found to be
7 responsive to the subject request. Prior to receipt of the subject request, many
8 emails on her workstation were deleted in order to increase Respondent's server
9 capacity due to problems Ms. Schechter had in sending and receiving emails.

10 Responses to subsequent Public Record Act Requests from Petitioner located
11 copies of some responsive emails on another of Respondent's workstations and
12 were produced by Respondent to Petitioner in response to such requests. Many of
13 the emails that Petitioner obtained from recipients of her emails and from those who
14 sent her emails were in fact not responsive to the subject request, had Respondent
15 still possessed them, because they are not public records.

16
17 INTERROGATORY NO. 22:

18 IDENTIFY all persons with knowledge of the facts in your answer to Interrogatory
19 No. 21, above.

20 RESPONSE TO INTERROGATORY NO. 22:

21 Lisa Schechter, Jim Omahen, and Jeffrey C. Briggs, all identified above.

22
23 INTERROGATORY NO. 23:

24 If it is YOUR contention that Ms. Schechter's email system was "plagued with
25 problems," please state each and every fact that supports that contention. (See Mr.
26 Briggs' July 27, 2016 email).

27 RESPONSE TO INTERROGATORY NO. 23:

28 See response to Interrogatory No. 9, above.

1
2 INTERROGATORY NO. 24:

3 If it is YOUR contention that there were "a number of email and server issues at the
4 BID when Ms. Schechter commenced work," please state each and every fact that
5 supports that contention. (See Mr. Brigg's July 1, 2016 email.)

6 RESPONSE TO INTERROGATORY NO. 24:

7 See response to Interrogatory No. 9, above.
8

9 INTERROGATORY NO. 25:

10 State all steps taken to resolve Ms. Schechter's EMAIL PROBLEM/S.

11 RESPONSE TO INTERROGATORY NO. 25:

12 See response to Interrogatory No. 9, above. See also responsive documents
13 produced per the response to Interrogatory No. 27, below.
14

15 INTERROGATORY NO. 26:

16 IDENTIFY all persons with knowledge of the facts in YOUR answer to
17 Interrogatory Nos. 23 and 24, above.

18 RESPONSE TO INTERROGATORY NO. 26:

19 Lisa Schechter, Jim Omahen, Tom Edgar, and Jeffrey C. Briggs, all
20 identified above.
21

22 INTERROGATORY NO. 27:

23 IDENTIFY all DOCUMENTS that support the facts in YOUR answer to
24 Interrogatory Nos. 23 and 24, above.

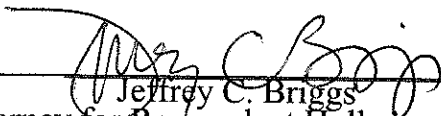
25 RESPONSE TO INTERROGATORY NO. 27:

26 The subject documents will be produced.
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Dated: March 16, 2017

JEFFREY C. BRIGGS
BRIGGS LAW OFFICE

By: 
Jeffrey C. Briggs
Attorney for Respondent Hollywood
Media District Property Owners
Association

CORPORATE VERIFICATION

I, Lisa Schechter, state that I am the Executive Director of the Hollywood Media District Property Owners Association, which is the Respondent in the within action, and I am authorized to make this verification on its behalf.

I have read the foregoing responses to Petitioner's Special Interrogatories, Set One. I know the contents thereof, and am informed and believe that the matters therein stated are true and upon that ground allege them to be true.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration is executed at Los Angeles, California, on MARCH 16, 2017

A handwritten signature in black ink, appearing to read 'Lisa Schechter', is written over a horizontal line.

Lisa Schechter

[illegible]

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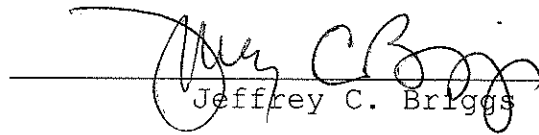
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1 I declare that I am, or am employed in the office of, a
2 member of the bar of this court at whose direction the service
was made.

3 I declare under penalty of perjury under the laws of
4 the State of California that the above is true and correct.

5 Executed on this __17TH DAY OF MARCH, 2017,2016, at
HOLLYWOOD, California.

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8 Jeffrey C. Briggs
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